

# Notice of Allowability

Application No.

09/619,333

Examiner

John Manning

Applicant(s)

SHIDELEFF ET AL.

Art Unit

2614

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/19/2000.
2. ☒ The allowed claim(s) is/are 14 and 15 (Renumbered 1 and 2).
3. ☒ The drawings filed on 12/5/03 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 9/30/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kin-Wah Tong on September 30, 2004.

The specification recites on page 8, lines 1-4, "In one mode of operation, if a viewer desires to pass a particular rated program, the set top terminal would delete the V-chip information or modify the V-chip information to a general pass mode". This has been changed to read, "In one mode of operation, if a viewer desires to pass a particular rated program, the set top terminal would delete the V-chip information or modify the V-chip information to a general pass mode **by modifying the V-chip information to a universally unblocked rating.**"

### *Allowable Subject Matter*

2. Claims 14 and 15 (renumber 1 and 2) are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:

In regard to claim 14 the prior art does not teach or fairly suggest modifying the identified V-chip rating information to a universally unblocked rating if said determining is to pass the television signal. The Bray reference discloses a device for analyzing and

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filtering a closed caption signal. Bray prevents a downstream receiver from processing the closed caption embedded portion of the television signal. And, upon transmission downstream to a television receiver, the television receiver may not process the closed caption embedded portion of the television signal. Bray does not teach the modifying the identified V-chip rating.

In regard to claim 15 the prior art does not teach or fairly suggest modifying the identified V-chip rating information to a universally blocked rating if said determining is to block the television signal. The Bray reference discloses a device for analyzing and filtering a closed caption signal. Bray prevents a downstream receiver from processing the closed caption embedded portion of the television signal. And, upon transmission downstream to a television receiver, the television receiver may not process the closed caption embedded portion of the television signal. Bray does not teach the modifying the identified V-chip rating.

### ***Conclusion***


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 703-305-0345. The examiner can normally be reached on M-F: 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM  
September 30, 2004



JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
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